IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 6507 of 2005

Between:

Md. Sarver, s/o Late Ahamed Hussain,
r/o 1-4-249/100, Balaji Nagar, Suryapet, Nalgonda District.

..... PETITIONER

AND

1 APSRTC, rep. by its Managing Director, Musherabad,
Hyderabad.
2 The Depot Manager, APSRTC, Bus Depot, Suryapet,
Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ or direction particularly one in the nature of Writ of Mandamus declaring the impugned proceeding No. E2/1(32)/89-SRPT dt. 8-12-1989 in withholding the petitioner's annual increments which falls next due for a period of (2) years, which shall have effect on the petitioner's future increments as arbitrary, illegal unjust and in violation of under Art. 14, 16 and 21 of the Constitution of India and consequently direct the 2nd respondent to restore the above withhold increments along with all consequential benefits in the interest of justice and fair play.

Counsel for the Petitioner: MR.V.NARASIMHA GOUD

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court, at the stage of admission, made the following :

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO: 6507of 2005

ORDER:

Challenging the proceedings No.E2/1(32)/89-SRPT, dated 08-12-1989, in withholding the petitioner's annual increments which falls next due for a period of two years, with cumulative effect, the present writ petition has been filed.

2. No doubt, without conducting any enquiry, the impugned order was passed. But, as seen from the affidavit, filed by the petitioner, it is clear that there is long lapse of time in filing the writ petition after passing the impugned order and the delay of 16 years in filing the writ petition also has not been explained at all.

3. Therefore, the writ petition is dismissed on the ground of laches. No costs.

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April 27, 2005

KVR

To

1 The Managing Director, APSRTC, Musherabad, Hyderabad.
2 The Depot Manager, APSRTC, Bus Depot, Suryapet, Nalgonda District.

3. Two C.D. Copies.